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PTO/SB/21 (09-04)

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TRANSMITTAL  
FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

5

Application Number

10/816,663

Filing Date

04/02/2004

First Named Inventor

Shuster, et. al.

Art Unit

1645

Examiner Name

TBA

Attorney Docket Number

AH06021US01

## ENCLOSURES

(Check all that apply)

- ☐ Fee Transmittal Form  
☐ Fee Attached  
☐ Amendment/Reply  
☐ After Final  
☐ Affidavits/declaration(s)  
☐ Extension of Time Request  
☐ Express Abandonment Request  
☒ Information Disclosure Statement  
☐ Certified Copy of Priority Document(s)  
☐ Reply to Missing Parts/  
Incomplete Application  
☐ Reply to Missing Parts  
under 37 CFR 1.52 or 1.53

- ☐ Drawing(s)  
☐ Licensing-related Papers  
☐ Petition  
☐ Petition to Convert to a  
Provisional Application  
☐ Power of Attorney, Revocation  
Change of Correspondence Address  
☐ Terminal Disclaimer  
☐ Request for Refund  
☐ CD, Number of CD(s) \_\_\_\_\_  
☐ Landscape Table on CID

- ☐ After Allowance Communication to TC  
☐ Appeal Communication to Board  
of Appeals and Interferences  
☐ Appeal Communication to TC  
(Appeal Notice, Brief, Reply Brief)  
☐ Proprietary Information  
☐ Status Letter  
☒ Other Enclosure(s) (please identify  
below):

Postcard; Form 1449 (1 page- in  
duplicate), References (13)

Remarks

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name

Robert J. Lipka

Signature

Printed name

Robert J. Lipka

Date

03/28/2005

Reg. No.

42,807

## CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature

Typed or printed name

Robert J. Lipka

Date

03/28/2005

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

-----X  
In re Application of:  
Shuster et al.

:  
: Examiner: TBA  
:

For: COMPOSITIONS  
AND METHOD FOR TREATING  
INFECTION IN CATTLE AND SWINE

:  
:  
:  
: Art Unit: 1645

Serial No.: 10/816,663

:

Filed: 4/2/04

:

-----X  
Commissioner for Patents,  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**

Sir:

As this submission pre-dates the receiving of an Office Action on the merits, it is not believed that any fee is due. In the event a fee is due, the Commissioner is authorized to charge the same to Deposit Account No. 19-0365. A duplicate copy of this paper is enclosed.

Pursuant to 37 C.F.R. § 1.56, applicants hereby disclose the following information for consideration by the Examiner:

Each of the documents listed on accompanying PTO Form 1449 submitted herewith. A copy of each listed document is enclosed for the convenience of the Examiner, which copy is the best available to the Applicant at this time; the Examiner is requested to disregard any underlining or marginal notation (if any) appearing in a copy, since marking may have

**Case No. AH06021**


been done for another purpose and may not pertain in any manner to the subject application.

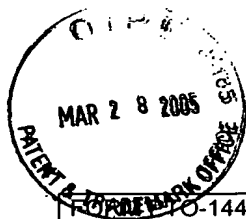
The listed documents may be relevant to examination of the application. Inclusion of the document is not an admission that the document is prior art with respect to the invention of the application and is not to be construed as an admission that anything in the document renders any claim of the application unpatentable.

Applicants assert that the claimed invention is patentable over the documents listed on PTO-1449.

The Examiner is kindly requested to initial and return the PTO-1449 Form to evidence consideration of these documents.

Respectfully submitted,

  
Robert J. Lipka  
Reg. No. 42,807  
Registered Representative  
(908) 298-5056

EV 533188744 US  
Sheet 1 of 1

P.O. 1449

U.S. DEPARTMENT OF COMMERCE  
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.:  
AH06021SERIAL NO.:  
10/816,663INFORMATION DISCLOSURE STATEMENT  
BY APPLICANTAPPLICANT:  
Shuster et al.*(Use several sheets if necessary)*FILING DATE:  
4/2/04GROUP:  
1617

## U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB- CLASS	FILING DATE IF APPROPRIATE
	AA	2003/00064939	4/3/03	Sklavounos	514	28	4/25/02
	AB	6,653,288	11/25/03	Beuvry	514	28	9/30/02
	AC	6,174,540	1/16/01	Williams	424	423	9/14/98
	AD	5,733,566	3/31/98	Lewis	424	426	10/30/95
	AE	6,074,657	6/13/00	Brown	424	423	3/20/97
	AF	4,199,569	4/22/80	Chabala	424	180	7/31/78
	AG						
	AH						
	AI						
	AJ						
	AK						

## FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUB- CLASS	TRANSLATION	
							YES	NO
	AL	WO02/088158	11/7/02	PCT				X
	AM	EP1078631	2/28/02	Europe	31	365		X
	AN	WO04/043164	5/27/04	PCT				X
	AO							
	AP							

OTHER DOCUMENTS *(Including Author, Title, Date, Pertinent Pages, Etc.)*

AQ	"Synthesis and Activity of a Novel class of Tribasic Macrocyclic Antibiotics: The Trilamides," Letavic et al., Bioorganic and Medicinal Chemistry Letters 12 (2002) pp. 2771-2774							
AR	Synthesis, Stereochemical Assignment and Biological Activity of a Novel Series of C-4 Modified Aza-Macrolides," Bioorganic and Medicinal Chemistry Letters 13 (2003) pp. 1955-1958							
AS	Libersa et al, Rec. Med. Vet. 1995, 171 (01) pp. 39-44 (1995)							
AT	J. Vet Pharmacol. Therap. 26 (Supp 1) 82-307 (2003)							
AU								
AV								

EXAMINER

DATE CONSIDERED

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.